

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3869

IN THE MATTER OF:

Served December 23, 1991

Application of MALEK INVESTMENT,)
INC., Trading as MONTGOMERY AIRPORT)
SHUTTLE for Temporary Authority --)
Irregular Route Operations)

Case No. AP-91-44

By application accepted for filing December 19, 1991,¹ Malek Investment, Inc., trading as Montgomery Airport Shuttle (MAS or applicant), seeks temporary authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

Specifically, MAS proposes to conduct operations using three owned vehicles with a manufacturer-designed seating capacity of less than 16 passengers each. MAS would provide transfer service from specified hotels in Montgomery County, MD, to Washington National Airport and Washington Dulles International Airport, at one-way fares of \$17 and \$19, respectively. Children under six would ride without extra charge.

MAS supports its application with the affidavits of three hotel managers attesting to an immediate need for service to local airports and the current unavailability of that service.

MAS also has applied for a Certificate of Authority for irregular route operations in Case No. AP-91-45.

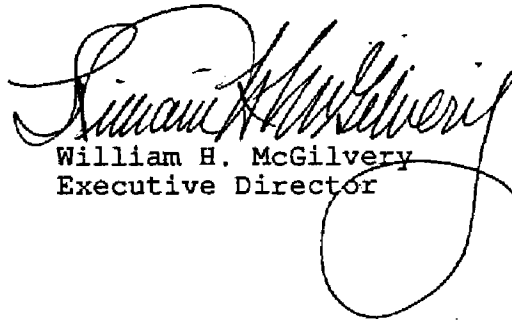
The standards for temporary authority are set forth in the Compact at Title II, Article XI, Section 13. The essential elements are (1) an immediate need for service, (2) no carrier available to meet such need, and (3) fitness of the applicant. See Order No. 2864, served May 23, 1986; Order No. 2857, served May 12, 1986; and Order No. 1643, served January 24, 1977.

This order will provide notice of MAS's application for temporary authority, and a brief period will be provided for the filing of protests, if any. No extension of time will be granted. The application is available for inspection at the office of the Commission during its regular business hours.

¹See Order No. 3867, served December 19, 1991, in Case No. FC-91-01.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 13 and Regulation No. 54-04(a) at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Wednesday, January 8, 1992, and shall simultaneously serve a copy of such protest on applicant's representative, Richard S. Stern, Esquire, 419 Seventh Street, N.W., Suite 201, Washington, DC 20004.

FOR THE COMMISSION:



William H. McGilvery
Executive Director